

**CIVIL MINUTE ENTRY**

<b>BEFORE:</b>	Magistrate Judge Steven L. Tiscione
<b>DATE:</b>	March 18, 2022
<b>TIME:</b>	10:00 A.M.
<b>DOCKET NUMBER(S):</b>	CV-17-2972 (ST)
<b>NAME OF CASE(S):</b>	<b>CASTILLO ET AL V. PERFUME WORLDWIDE INC. ET AL.</b>
<b>FOR PLAINTIFF(S):</b>	Moser
<b>FOR DEFENDANT(S):</b>	Catafolo
<b>NEXT CONFERENCE(S):</b>	See rulings below
<b>FTR/COURT REPORTER:</b>	AT&T 10:05 - 10:11

**RULINGS FROM MOTION HEARING:**

For the reasons more fully described in the attached order, Plaintiffs' Motion for Preliminary Approval of Class and Collective Settlement [310] is granted. The Court will hold a final Fairness Hearing, by telephone, on June 24, 2022 at 10:00 a.m. Participants shall connect to the conference through dial-in number 888-557-8511 with access code 3152145. Counsel are directed to provide the conference date, time and call-in information to all class members along with Notice of the Settlement.

**THE PARTIES ARE REMINDED that audio or video recording of proceedings by any party other than the Court, is strictly prohibited by Local Civil Rule 1.8. Violation of this rule may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed appropriate by the Court.**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

NELSON CASTILLO, MARTA VALLADARES,  
ARACELY VALLADARES, CARLOS REYES, YOSELY  
ESPINAL HENRIQUEZ, individually and on behalf of all  
others similarly situated,

Plaintiffs,

*- against -*

PERFUME WORLDWIDE INC., PERFUME CENTER OF  
AMERICA, INC., SHRI PARSHWA PADMAVATI &  
CO., LLC, 3OVO LOGISTICS INC., TEXVEL, INC.,  
JOHN DOE CORPORATIONS NOS. 1-5, KANAK  
GOLIA, PIYUSH GOLIA, PRABHA GOLIA and ROMA  
GOLIA,

Defendants.

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**Case No. 17-cv-2972 (ST)**

**ORDER GRANTING MOTION  
FOR CONDITIONAL CLASS  
CERTIFICATION AND  
PRELIMINARY APPROVAL  
OF CLASS AND COLLECTIVE  
ACTION SETTLEMENT  
AGREEMENT**

Based on the declaration of Steven J. Moser and Memorandum of Law dated August 23, 2021, and the papers annexed thereto, Plaintiffs' assented-to motion for conditional certification and preliminary approval of the parties' class and collective action settlement agreement titled "Settlement Agreement and Release" ("Settlement Agreement", annexed to the Moser Declaration as Exhibit 7), is GRANTED, and the Court hereby:

1. Grants preliminary approval of the Settlement Agreement;
2. Preliminarily certifies the following settlement class under Fed. R. Civ. P. 23(a), (b)(1) and (b)(3) for purposes of effectuating the parties' settlement:

All employees of Perfume Worldwide Inc. who performed work as non-exempt employees between January 1, 2011 and December 31, 2018.

3. Approves the proposed class notice attached to the Moser Declaration as Exhibit 8 and distribution thereof to the settlement class members in English and Spanish.

4. Approves the proposed class action settlement procedure;
5. Appoints Steven J. Moser of the Moser Law Firm, P.C. as Class Counsel; and
6. Sets the schedule for final settlement approval as follows:
  - a. *Class List.* Within 21 days following the date on which the Court grants Preliminary Approval, Defendants will provide the Claims Administrator and Class Counsel with a list, in electronic form, of the names, addresses, dates of employment, regular rate(s) of pay, and social security/tax ID number of each Class Member (the “Class List”) during the Covered Period. Within 7 days following receipt of the Class List, Class Counsel shall identify each Opt-In FLSA Plaintiff on the Class List and may furnish corrected information for Opt-In FLSA Plaintiffs to the Claims Administrator and Defendants’ Counsel.
  - b. *Mailing.* Within 28 days after preliminary approval, the Claims Administrator shall mail the Court-approved notice to each Class Member, in English and Spanish.
  - c. *Fairness Hearing.* The Fairness hearing will be held by telephone on June 24, 2022 at 10:00 a.m. Participants may connect to the conference through dial-in number 888-557-8511 with access code 3152145.
  - d. *Motion for Final Approval.* No later than 14 days before the Fairness Hearing, Plaintiffs will submit a Motion for Judgment and Final Approval.
7. Dismisses with prejudice pursuant to **FRCP 41** all claims against Perfume Center of America Inc., Shri Parshwa Padmavati & Co., LLC, 3OVO Logistics Inc., Texvel, Inc., Kanak Golia, Prabha Golia, and Roma Golia.
8. Lifts the Order Staying the Claims of the Opt-In Plaintiffs which was issued on

Exhibit 5) for the purposes of consummating the settlement.

**SO ORDERED:**

  
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Magistrate Judge Steven L. Tiscione

**Dated:** March 18, 2022